1 2 3 4 5	June 29, 2006 H	12:19:05 Page 1 of 7  Machell on. Bruce A. Markell States Bankruptcy Judge
6		
7	GORDON & SHIVER I TO	
	GORDON & SILVER, LTD. GERALD M. GORDON, ESQ.	
8	Nevada Bar No. 229 E-mail: gmg@gordonsilver.com	
9	GREGORY E. GARMAN, ESQ. Nevada Bar No. 6654	
10	E-mail: geg@gordonsilver.com KONRAD PILATOWICZ	
11	Nevada Bar No. 9651	
12	E-mail: <a href="mailto:kpilatowicz@gordonsilver.com">kpilatowicz@gordonsilver.com</a> 3960 Howard Hughes Pkwy., 9th Floor	
13	Las Vegas, Nevada 89109 Telephone (702) 796-5555	
14	Facsimile (702) 369-2666	
15	UNITED STATES BANKRUPT	TCY COURT
16	FOR THE DISTRICT OF N	NEVADA
17	In re:	Case Nos.:
18	USA COMMERCIAL MORTGAGE COMPANY,	BK-S-06-10725-LBR BK-S-06-10726-LBR
10	Debtor.	BK-S-06-10727-LBR
19	In re: USA CAPITAL REALTY ADVISORS, LLC,	BK-S-06-10728-LBR BK-S-06-10729-LBR
20	Debtor.	JOINTLY ADMINISTERED
21	In re: USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	Chapter 11
22	Debtor.	ORDER DENYING MOTION TO
23	In re:	REMOVE FERTITTA
24	USA CAPITAL FIRST TRUST DEED FUND, LLC,	ENTERPRISES, INC. AS MEMBER OF OFFICIAL
25	Debtor. In re:	COMMITTEE OF HOLDERS OF
26	USA SECURITIES, LLC,	EXECUTORY CONTRACT RIGHTS
27	Debtor.	
28		
Z8 GORDON & SILVER, LTD.		
ATTORNEYS AT LAW NINTH FLOOR 3960 HOWARD HUGHES PKWY LAS VEGAS, NEVADA 89109 (702) 796-5555	100933-001/408531	

	Case 06-10725-gwz Doc 817 Ent	ered 06/29/06 12	:19:05 Page 2 of 7
1 2 3 4 5	Affects:  All Debtors  USA Commercial Mortgage Company USA Capital Realty Advisors, LLC USA Capital Diversified Trust Deed Fund USA Capital First Trust Deed Fund, LLC USA Securities, LLC		Date: June 21, 2006 Time: 9:30 a.m.
6 7 8	Debtors' Motion to Remove Fertion of Holders of Executory Contract Right	_	e. as Member of Official Committee
9	above-captioned Court on June 21, 2006, above-captioned Court of Cour	·	
10 11	having been noted in the record, the Court and having considered the testimony el		
12 13	pleadings filed in opposition to the Motior	n, and for good cau	se appearing therefor;
14 15	IT IS HEREBY ORDERED that the PREPARED AND SUBMITTED:	ie Motion is Denie	d.
16	GORDON & SILVER, LTD.		
17 18 19	By:  GERALD M. GORDON, ESQ. GREGORY R. GARMAN, ESQ. KONRAD PILAYOWITZ, ESQ. Attorneys for the Official Commit Contract Rights through USA Con		
20	APPROVED/DISAPPROVED:	APPROVED/DI	1 2
21 22	SCHWARTZER & McPHERSON LAWFIRM	STUTMAN, TRI	EISTER & GLATT, P.C.
23	By:	By: Frank A. Me	rola Esa
24	Attorneys for Debtors	Eve H. Karas Christine M.	sik, Esq. Pajak, Esq.
25   26			e Official Committee of Equity es of USA Capital First Trust
27		Dood I uild, DDC	
28			

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1 2	Affects:  All Debtors  USA Commercial Mortgage Company USA Capital Realty Advisors, LLC	
3 4 5	☐ USA Capital Diversified Trust Deed Fund ☐ USA Capital First Trust Deed Fund, LLC ☐ USA Securities, LLC	Date: June 21, 2006 Time: 9:30 a.m.
6	Debtors' <u>Motion to Remove Forti</u>	tta Enterprises, Inc. as Member of Official Committee
7	of Holders of Executory Contract Right	("Motion") having come on for hearing before the
8	above-captioned Court on June 21, 2006,	at 9:00 a.m., Gerald M. Gordon of the law firm Gordon
9	& Silver, Ltd., having appeared on behal	f of Gordon & Silver, Ltd., and all other appearances
10 11	having been noted in the record, the Court	having reviewed the Motion and supporting pleadings,
12	and having considered the testimony el	cited at the hearing, statements of counsel and the
13	pleadings filed in opposition to the Motion	, and for good cause appearing therefor;
14	IT IS HEREBY ORDERED that the	e Motion is Denied
15	PREPARED AND SUBMITTED:	
16	GORDON & SILVER, LTD.	
17	By: GERALD M. GORDON, ESQ.	
18 19	GREGORY R. GARMAN, EŠQ. KONRAD PILAYOWITZ, ESQ.	on of Tables of Tables
20	Attorneys for the Official Committee Contract Rights through USA Con	mercial Mortgage Company
21	APPROVED/DISAPPROVED:	APPROVED/DISAPPROVED:
22	SCHWARTZER & McPHERSON LAWFIRM	STUTMAN, TREISTER & GLATT, P.C.
23	By Kanth le Jump	Ву:
24	Lenard E. Schwartzer, Esq. Attorneys for Debtors	Frank A. Merola, Esq. Eve H. Karasik, Esq. Christine M. Pajak, Esq.
25		Attorney for the Official Committee of Equity Security Holders of USA Capital First Trust
26		Deed Fund, LLC
27		
28		

Gordon & Sryne, Lid. Attorneys at Caw Nirth Floor You Howard Hughes Prwy AS YEGAS, Nevada 09 109 {/UZ} /Y6-3555

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"Case 06-10725-gwz Doc 817 Entered 06/29/06 12:19:05 Affects: 1 All Debtors USA Commercial Mortgage Company 2 USA Capital Realty Advisors, LLC USA Capital Diversified Trust Deed Fund, LLC 3 USA Capital First Trust Deed Fund, LLC Datc: June 21, 2006 USA Securities, LLC Time: 9:30 a.m. 4 5 6 Debtors' Motion to Remove Fortitta Enterprises, Inc. as Member of Official Committee 7 of Holders of Executory Contract Rights ("Motion") having come on for hearing before the 8 above-captioned Court on June 21, 2006, at 9:00 a.m., Gerald M. Gordon of the law firm Gordon 9 & Silver, Ltd., having appeared on behalf of Gordon & Silver, Ltd., and all other appearances 10 having been noted in the record, the Court having reviewed the Motion and supporting pleadings, 11 and having considered the testimony elicited at the hearing, statements of counsel and the 12 pleadings filed in opposition to the Motion, and for good cause appearing therefor; 13 IT IS HEREBY ORDERED that the Motion is Denied. 14 PREPARED AND SUBMITTED: 15 GORDON & SILVER, LTD. 16 17 By: GERALD M. GORDON, ESO. 18 GREGORY R. GARMAN, ESQ. KONRAD PILAYOWITZ, ESQ. 19 Attorneys for the Official Committee of Holders of Executory Contract Rights through USA Commercial Mortgage Company 20 APPROVED/DISAPPROVED: APPROVED/DISAPPROVED: 21 STUTMAN, TREISTER & GLATT, P.C. SCHWARTZER & McPHERSON LAWFIRM 22 By: 23 By: Frank A. Merola, Esu. Lenard E. Schwanzer, Esq. Attorneys for Debtors Eve H. Karasik, Esq. 24 Christine M. Pajak, Esq. Attorney for the Official Committee of Equity 25 Security Holders of USA Capital First Trust Deed Fund, LLC 26 27 28

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1	APPROVED/DISAPPROVED:	APPROVED/DISAPPROVED:
2	Office of the United States Trustee	LEWIS AND ROCA, LLP
3 4 5 6	ByAugust Landis, Esq. Scott Farrow, Esq.	By: Rob Charles, Esq. Susan M. Freeman, Esq. Counsel for Official Committee of Unsecured Creditors of USA Commercial Mortgage Company
7	APPROVED/DISAPPROVED:	
8	ORRICK, HERRINGTON & SUTCLIFFE, LLP	
9 10	By: Marc A. Levinson, Esq.	
11	Lynn Trinka Emce, Esq. Counsel for the Official Committee of	
12	Equity Security Holders of USA Capital Diversified Trust Deed Fund,	
13	LLC	
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ESL, LTD.	1/7/0732/001/4/08531	3

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Office of the United States Trustee	LEWIS AND ROCA, LLP
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APPROVED/DISAPPROVED:	
ORRICK, HERRINGTON & SUJULIFFE, LLP	
By! Which him	
Marc A. Levinson, Esq. Lynn Trinka Ernce, Esq. Counsel for the Official Committee of	
Counsel for the Official Committee of Equity Security Holders of USA	
Equity Security Holders of USA Capital Diversified Trust Deed Fund, LLC	
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Aleman	APPROVED/DISAPPROVED:	AP
2 3	Office of the United Shaves Trustee	LEV
4	By Willet Dan Mist	Ву:
5	August Landis, Esq./ Scott Farrow, Esq.	
6		Cou Cre
7	APPROVED/DISAPPROVED:	
8	ORRICK, HERRINGTON & SUTCLIFFE, LLP	
9	By:	
10	Marc A. Levinson, Esq. Lynn Trinka Emce, Esq.	
11	Counsel for the Official Committee of Equity Security Holders of USA	
12	Capital Diversified Trust Deed Fund, LLC	
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APPROVED/DISAPPROVED:

LEWIS AND ROCA, LLP

Rob Charles, Esq.

Susan M. Freeman, Esq.

Counsel for Official Committee of Unsecured Creditors of USA Commercial Mortgage Company

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